

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM J. MURRAY,

Plaintiff,

v.

TXU CORP., *et al.*

Defendants.

CASE NO. 04-MBD-10069 (NG)

(Related to Cause
No. 3:03 CV-088P, U.S. District
Court, Northern District of Texas,
Dallas Division)

DEFENDANTS' MEMORANDUM IN OPPOSITION TO
ANP'S MOTION FOR LEAVE TO FILE SURREPLY

Defendants TXU Corp., TXU Energy Company LLC and TXU Portfolio Management Company LP respectfully oppose American National Power's ("ANP's") Motion for Leave to File Surrely [*sic*] Memorandum ("Motion").

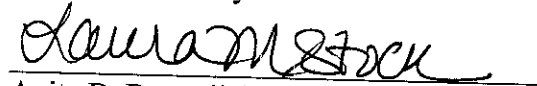
Defendants' Motion to Compel has been fully briefed and pending before the Court since April 1, 2004. More than a week later, on April 9, 2004, ANP filed its Motion, which will only continue to needlessly prolong the briefing process on a straightforward Motion to Compel. Defendants dispute ANP's contention that Defendants' Reply Memorandum misstates the facts and the law and that a surreply is necessary in this matter. Accordingly, Defendants respectfully request that the Court deny ANP's Motion.

Dated: April 26, 2004

Respectfully submitted,

**TXU CORP., TXU ENERGY COMPANY
LLC AND TXU PORTFOLIO
MANAGEMENT COMPANY LP F/K/A
TXU ENERGY TRADING COMPANY LP**

By Their Attorneys



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail on April 26, 2004.



Laura M. Stock